



PUBLIC NOTICE

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COMMENT SOUGHT ON BROADBAND CLEARINGHOUSE NBP Public Notice # 10

PLEADING CYCLE ESTABLISHED

GN Docket Nos. 09-47, 09-51, 09-137

Comment Date: November 16, 2009

In the course of the Commission's development of a National Broadband Plan,¹ its review of the record and discussions during the broadband workshops,² several parties have suggested that a broadband clearinghouse should be created for easy access to broadband best practices.³ A broadband clearinghouse could reduce information barriers for municipalities, agencies, businesses, and non-profits that want insights into more effectively utilizing broadband infrastructure, or into broadband deployment or adoption projects. Such a clearinghouse could also provide information and a forum for scholars and policymakers to gather and contribute data. We seek targeted comment on the notion of a broadband clearinghouse.

1. **Concept.** Should the federal government, through either the Federal Communications Commission, or through another governmental entity, initiate or create a national broadband clearinghouse of best practices? If the federal government should not create such a clearinghouse, should a non-governmental entity create one?
 - a. What would be the primary goals and purpose of such a clearinghouse?
 - b. What type of content would be most useful?
 - i. Would this be a user-generated content web site about deployment experiences? Should this be mere aggregation of broadband data?
 - ii. How could such a clearinghouse most effectively collect and make available information about efforts to promote or facilitate broadband adoption? Are there other aspects of broadband adoption that should be addressed?

¹ See American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5, 123 Stat. 115 (2009) (Recovery Act).

² FCC, Broadband.gov, Workshops, <http://www.broadband.gov/workshops.html> (last visited Oct. 2, 2009).

³ See, e.g., National Broadband Plan Workshops: Open Government and Civic Engagement (Aug. 6, 2009) (transcript at 61-62, available at http://www.broadband.gov/docs/ws_01_egov_transcript.pdf); Center for Accessible Technology/Inclusive Technologies Comments at 9-10; National Association of Telecommunications Officers and Advisors et al. Comments at 69; Native Public Media & National Congress of American Indians Comments at 27; Public Knowledge et al. Comments at 40; Rich Greenfield Comments at 42.

- iii. How could such a clearinghouse disseminate information related to government's use of broadband for either improving the operations of government or improving the delivery of government services? Should such a clearinghouse also be expanded to include best-practices for the utilization of broadband from the private or non-profit sectors? How should such a clearinghouse be constructed to best engage the public?
 - iv. Should the site include information or resources such as experts in any of the following areas related to developing broadband initiatives: finance, regulatory/legal, engineering/construction, technology, marketing?
 - v. Should the clearinghouse include unique content such as training videos or sample program materials generated by or on behalf of the site manager to further the mission of the clearinghouse?
 - c. Are there currently existing clearinghouses (for broadband or other purposes) that could serve as good models for a national broadband clearinghouse?
 - d. Have other countries developed tools to share best practices (for broadband or other purposes) that could serve as good models? Were these initiatives successful or not, and how was success or failure measured?
 - e. Assuming that the clearinghouse is mainly provided via a website,⁴ what features should it have to best achieve its intended purpose?
- 2. **Audience.** Various entities may find a clearinghouse useful. For instance, local governments, broadband providers, broadband-adoption-focused organizations, and scholars are very different groups that all could benefit from a broadband clearinghouse.
 - a. What audiences would benefit most from a clearinghouse?
 - b. Assuming that the clearinghouse is mainly provided via a website, what features should the website have to be of most use to its various intended audiences? How should the website be organized to promote ease of use?
 - c. Should the clearinghouse entity engage in outreach or information sharing beyond those in a web-based, electronic format?
 - d. How should audiences be made aware of the clearinghouse? What are the most effective marketing channels to reach the target audience(s), and how much should be invested in marketing efforts?
- 3. **Utility.** We also seek comment on how a clearinghouse can be of most use to its users generally.
 - a. How could useful broadband practices and data be most easily accessed by all users?
 - b. How can a clearinghouse identify or feature truly effective broadband practices and avoid "bad" practices and data that may end up in the clearinghouse?
 - c. How should information in the clearinghouse be structured and categorized to maximize the extent to which it is comparable and searchable?
 - d. To ensure that those who could benefit from the clearinghouse do, how could the clearinghouse be publicized?
- 4. **Maintenance.** Clearinghouses require some level of maintenance.
 - a. Who should maintain this clearinghouse?⁵ If the maintenance should fall to a government entity, are there additional legal or jurisdictional considerations to note?
 - b. What editorial or other resources are necessary to ensure that a clearinghouse contains accurate and updated information?

⁴ See Cox Comments at 8.

⁵ See New Jersey Rate Counsel Comments at 68 (recommending that the Commission serve as an information clearinghouse for broadband data, outreach, and computer and broadband training initiatives).

- c. To what extent should the manager actively control or filter what data and best practices are allowed into the clearinghouse?
- d. How can the clearinghouse leverage public participation to obtain best managerial outcomes?
- e. How can the manager make proprietary data useful without compromising the proprietary nature of that data?⁶
- f. How should the site development and maintenance costs be funded and how can the level of funding required be determined? Should the entire cost be covered through new appropriations or should the site be funded through some other mechanism such as charging users fees to access some or all of the content?
- g. What, if any, retention schedule should be incorporated for contributed data?

This matter shall be treated as a “permit-but-disclose” proceeding in accordance with the Commission’s *ex parte* rules. See 47 C.F.R. §§ 1.1200, 1.1206. Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentations must contain summaries of the substance of the presentations and not merely a listing of the subjects discussed. More than a one- or two-sentence description of the views and arguments presented generally is required. See 47 C.F.R. § 1.1206(b). Other rules pertaining to oral and written *ex parte* presentations in permit-but-disclose proceedings are set forth in section 1.1206(b) of the Commission’s rules, 47 C.F.R. § 1.1206(b).

All comments should refer to GN Docket Nos. 09-47, 09-51, and 09-137. Please title comments responsive to this Notice as “Comments – NBP Public Notice # 10.” Further, we strongly encourage parties to develop responses to this Notice that adhere to the organization and structure of the questions in this Notice.

Comments may be filed using (1) the Commission’s Electronic Comment Filing System (ECFS), (2) the Federal Government’s eRulemaking Portal, or (3) by filing paper copies.⁷ Comments can be filed through the Commission’s ECFS filing interface located at the following Internet address: <http://www.fcc.gov/cgb/ecfs/>. Comments can also be filed via the Federal eRulemaking Portal: <http://www.regulations.gov>.⁸ Generally, only one copy of an electronic submission must be filed. In completing the transmittal screen, commenters should include their full name, U.S. Postal Service mailing address, and the applicable docket or rulemaking number. Parties who choose to file by paper must file an original and four copies of each filing.

Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although we continue to experience delays in receiving U.S. Postal Service mail). All filings must be addressed to the Commission’s Secretary, Office of the Secretary, Federal Communications Commission.

- The Commission’s contractor will receive hand-delivered or messenger-delivered paper filings for the Commission’s Secretary at 236 Massachusetts Avenue, N.E., Suite 110, Washington, D.C. 20002. The filing hours at this location are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building.

⁶ See Comcast Comments at 47–48; Telecordia Comments at 17.

⁷ See Electronic Filing of Documents in Rulemaking Proceedings, 63 Fed. Reg. 24121 (1998).

⁸ Filers should follow the instructions provided on the Federal eRulemaking Portal website for submitting comments.

- Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743.
- U.S. Postal Service first-class mail, Express Mail, and Priority Mail should be addressed to 445 12th Street, S.W., Washington, D.C. 20554.

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For further information about this Public Notice, please contact Randy Clarke at (202) 418-1500.

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